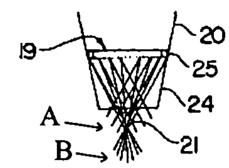
Discussion and Remarks

A partial view of Wilson's Fig. 5 is shown on the right side of this paragraph. In the Wilson's device, the interleaving wires (21) converge at a point A before diverging out near the region B as shown in the diagram. It is likely that the insect would depart sooner rather than later after passing by the bottom end of the enclosure (24) before continuing to reach the point A. The insect would push through the gaps between the interleaving wires (21) into the trapping chamber. The gaps between the interleaving wires (21) would become visually smaller if the insect continues to crawl toward the converging point A in Fig. 5. The insect is more likely to choose a bigger gap than a smaller gap to push itself into the trapping chamber.



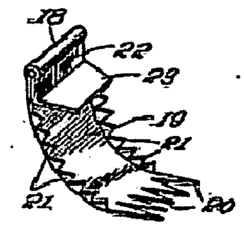
Wilon's Fig. 5 (part)

It is specified in the Abstract (lines 9-10, First page) of the Wilson's patent that the insects can push aside the wires to enter the container. In the applicant's device, the insect does not have to push to get into the trapping chamber. No additional effort on the part of the insect, other than crawling, is needed by the insect to get into the applicant's chamber.

Wilson has placed the wires in an interleaving configuration. Wilson has anticipated that the interleaving wires would provide the gaps through which an insect could make a forced push-through into the trap. The gap would become bigger as the insect tries to push itself through the gap. The gap cannot be said to open from an already open position, as the insect tries to expand the gap. The gap cannot be said to return to a close position while it is still in an open position when the insect departs from the gap. The gap simply returns from its expanded size to its original

unstretched size after the departure of the insect. The gap between the interleaving wires has not been covered or obstructed in the Wilson's patent.

Claims 44 and 52 are rejected under U.S.C. §103(a) as being unpatentable over Wilson in view of Earwood (1,655,361). It was believed that an item identified as (21) in the Earwood's device, when used in the Wilson's device, would have deterred the insect from exiting the trap (lines 8-9, Par. 7, Pg. 4, Examiner's report 5/3/06). The item identified as (21) in the report are the teeth (21) in the Earwood's device as shown in Fig. 6 on the right side of this paragraph. It is shown below that the teeth (21) as taught by Earwood for use in the Wilson's device would not have deterred the insect or other insects from exiting the trap.



The Earwood's teeth (21) provide a plurality of flat and broad surfaces on both sides of the teeth (21). The insect's legs could grab the flat surfaces of the teeth (21) and move from one tooth to the next. The flat surfaces of the teeth (21) provide rest area for the trapped insect.

The teeth (21) as taught by Earwood for use in the Wilson's device would not have deterred the insect from grabbing the flat surfaces of the teeth (21) and to continue to move inwardly through the gaps between rows of the teeth (21) to subsequently push the deflectable strips (20) away in a desperate attempt to exit the trap.

Worst of all, the weight of the insect could pull the deflectable strips (20) down and away from the enclosure (450), when the insect attaches itself to the sides of the teeth (21). When several insects pull down the deflectable strips (20) which form the

underside of the enclosure (450), they would create several openings in the enclosure (450) momentarily for other insects to escape.

The tines (100), which are different from the teeth (21), are used in the instant application. The tines (100) are filament-like elements with a sharp tapered end at the end of each tine. It would be difficult for a trapped insect to maintain a steady hold to the thin and rounded filament-like tines (100).

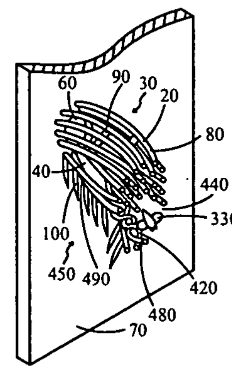


Figure 2

The thin sharp tines (100) are light and they could be bent easily in all directions by the weight and actions of the trapped insect. The tine onto which the insect grabs momentarily could swing in the opposite direction away from the neighboring tines (100) at which the trapped insect intends to reach. The disturbed tines (100) could undergo a continuing harmonic motion, thus further frustrating the trapped insect.

The saw-like teeth (21) in the Earwood's device could at most bend to one side from their original position. The bending amplitude is limited as the disturbed tooth is connected to its neighboring teeth. The disturbance energy could be quickly dissipated by other neighboring teeth.

In the applicant's device, it would be harder for the trapped insect to move from one tine to the next, as the tines (100) are independent and are mounted individually to the undersides of the enclosure. The tines (100) which are disturbed could move into other un-predictable directions. The saw-like teeth (21) in the Earwood's device have a well defined configuration. The whole row of teeth (21) would act together and the teeth (21) are limited in their motion, when one of the saw-like teeth (21) is disturbed by the trapped insect.

If the teeth (21) were to be deployed in the applicant's device, the saw-like teeth

(21) in the Earwood's device would provide flat and broad landing area on the sides of the teeth to the trapped insect. The trapped insect could grab hold of the flat landing area on the sides of the teeth (21) and moves from one tooth to another. The deflectable strips, which form the underside of the enclosure, could be weighted down by the insects attaching themselves to the sides of the teeth (21), thereby creating numerous openings in the enclosure for other insects to escape.

The saw-like teeth (21) in the Earwood's device, originally designed for use against a trapped animal, are not suitable for use in the instant application.

The tines (100) disclosed in the instant application could swing during the disturbances by the trapped insect. The use of the tines (100) in the instant application is advantageous over the teeth (21) of the Earwood's device.

It is shown above that the teeth (21) and the tines (100) behave differently in their devices. Their roles and the capacity to achieve desirable results vary and they are unique in their devices. It is also shown that the use of the Earwood's teeth (21) in the instant device would have created opportunistic openings in the enclosure (450) for other insects to escape from the trap. Use of the teeth (21) from the Earwood's device would not have worked favorably in the applicant's device.

The applicant requests an entry and consideration of the submitted amendment.

Respectfully submitted,

Kim Ng

Kim Kwee Ng

Date: 6/20/2006
10 Malibu Ln
Centereach, NY 11720–3042
Tel. (631) 632 - 8189
Fax. (631) 632 - 8101